

CENTRAL FAX CENTER

SEP 06 2005

PTO/SB/30 (09-04)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Request for Continued Examination (RCE) Transmittal Address to: Mail Stop RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	Application Number	10/035,745
	Filing Date	12/28/2001
	First Named Inventor	Pianca et al.
	Art Unit	3762
	Examiner Name	Kennedy Schaezle
	Attorney Docket Number	AB-164U

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicants does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).
- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- ii. ☐ Other: _____
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other _____
2. **Miscellaneous**
- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17 (i) required)
- b. ☐ Other _____
3. **Fees** The RCE fee under 37 CFR 1.17 (e) is required by 37 CFR 1.114 when the RCE is filed.
- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 50-0648. I have enclosed a duplicate copy of this sheet.
- i. ☒ RCE fee required under 37 CFR 1.17 (e) in the amount of \$790.00.
- ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)
- iii. ☐ Other _____
- b. ☐ Check in the amount of \$ _____ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED			
Signature	<i>Victoria A. Poissant</i>	Date	September 06, 2005
Name (Print/Type)	Victoria A. Poissant	Registration No.	56,871

CERTIFICATE OF MAILING OR TRANSMISSION			
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.			
Signature	<i>Victoria A. Poissant</i>	Date	September 06, 2005
Name (Print/Type)	Victoria A. Poissant	Date	September 06, 2005

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 36 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

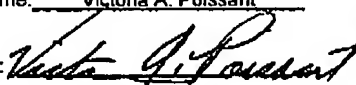
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SEP 06 2005

Docket No. AB-164U

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.: 10/035,745 Conf. No.: 3645 Applicants: Pianca, et al. Filed: December 28, 2001 TC/A.U.: 3762 Examiner: Kennedy Schaetzle Title: Systems and Methods of Implanting a Lead for Brain Stimulation Docket No.: AB-164U Customer No.: 23845	Certificate of FAX Transmission I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office, Fax. No. (571) 273-8300, on the date indicated below. Date: September 06, 2005 Typed Name: Victoria A. Poissant Signature:  Date: 9/6/2005
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Amendment D

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Examiner:

A Request for Continued Examination (RCE) is concurrently being filed herewith.
Applicants provide herein amendments to the claims for consideration.

By way of the present amendment, applicants have canceled Claims 13 and 17; amended Claim 16; and added Nine (9) new claims, Claims 23-31. No new matter has been added into the application by way of these amendments. Ten (10) claims remain pending in the application: Claims 16 and 23-31 of which Claims 16, 24, and 27 are independent.

Amendments to the Claims begin on page 2 of this paper.

Remarks begin on page 5 of this paper.

Application No. 10/035,745
Amendment D dated September 06, 2005

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